

1                                   **IN THE UNITED STATES DISTRICT COURT**  
2                                   **FOR THE DISTRICT OF PUERTO RICO**

3           **UNITED STATES OF AMERICA,**

4           **Plaintiff,**

5           **v.**

6           **COMMONWEALTH OF PUERTO RICO,**  
7           **et al.,**

8           **Defendants.**

**CIVIL NO. 12-2039 (GAG)**

9                                   **ORDER**

10           The Commonwealth's motion for protective order (Docket No. 588) is denied without  
11           prejudice as premature. The Commonwealth's motion in compliance (Docket No. 599) and US  
12           DOJ's response (Docket No. 604) are duly noted.

13           Once the TCA files his sealed six-month report, the parties shall have the opportunity to  
14           review the same (rather than a preliminary draft thereof). They can then tender any legal or  
15           evidentiary objections thus having the benefit of the entire TCA document. At this time not even  
16           the undersigned has had the benefit of reviewing the TCA's report and, thus, does not find it  
17           appropriate to edit the TCA's work product which has not yet been filed (just as I would not ask a  
18           magistrate judge to have me review her report and recommendation before the same is filed).

19           The TCA's report shall be filed on or before **September 8, 2017**. Given the fact that the  
20           Commonwealth has at this time expressed some concerns, the TCA and his Constitutional Lawyer  
21           team will be given additional time to review the draft report before submitting the same to the  
22           Court, and can consider any such issues present. This may or may not ultimately moot any issues  
23           once the final report is filed.  
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1 Also, as is common in criminal cases, once the final report is filed by the TCA, the parties,  
2 rather than move in limine (which would perhaps not be the proper relief), can instead request that  
3 the contents be blacked out in portions where it would not be proper for the public to see the same  
4 (analogous to redacted discovery routinely provided by the US Attorney).

5 Finally, the parties will jointly inform by **September 8, 2017**, whether the Court can  
6 unrestrict the viewing mode of all of the previous reports and comments thereto, if any. If there  
7 are any concerns as to confidential information, the parties can submit the reports for public filing  
8 with the necessary blacked out portions.

9 **SO ORDERED.**

10 In San Juan, Puerto Rico this 14th day of August, 2017.

11 */s/ Gustavo A. Gelpí*  
12 GUSTAVO A. GELPÍ  
13 UNITED STATES DISTRICT JUDGE  
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